

Notice of Allowability

Application No.

09/885,223

Examiner

Kristie D. Shingles

Applicant(s)

OFELT ET AL.

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/27/2007.
2. ☒ The allowed claim(s) is/are 1-43 and 53.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

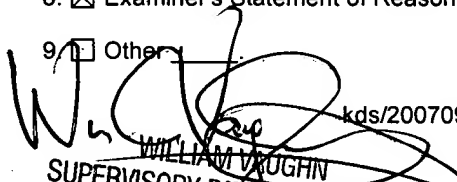
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/2007.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other


kds/20070912
WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

Art Unit: 2141

DETAILED ACTION

Response to Amendments

Claims 29 and 32 have been amended.

Claims 44-49 are withdrawn.

Claims 1-43 and 50-53 are pending.

Per Examiner's Amendment

Claims 44-52 are cancelled.

Claims 1-43 and 53 are allowed.

Response to Arguments

I. Applicant's arguments, see Remarks filed 6/27/2007, with respect to claims 1, 7, 12, 19, 29, 32 and 34 have been fully considered and are persuasive. Therefore the rejection of the above claims and their dependents has been withdrawn.

Examiner's Amendment

II. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to Applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Atty. Kelly Patrick Fitzgerald on 9/12/2007. Please change the following claims accordingly:

- Cancel Claims 44 - 52.

Reasons for Allowance

The following is the Examiner's statement of reasons for allowance

III. The prior art or record fails to teach neither singly nor in combination, the claimed limitation of “receiving a set of fragments at a network device from a plurality of links in one or more interface cards according to a multi-link protocol that allows multiple physical links to be treated by the network device as a single logical link, the set of fragments collectively comprising an unsequenced data packet; performing a first routing operation in the network device in accordance with routing information to send the fragments to a multi-link service card of the network device for sequencing, wherein the routing information identifies the multi-link service card as a destination for the data packets and wherein the multi-link service card of the network device facilitates support of the multi-link protocol by the network device; and performing a second routing operating in the network device in accordance with routing information to send the sequenced fragments as a sequenced data packet to the one or more interface cards of the network device for communication to a destination device over a computer network” stated in independent claims 1, 7, 12, 19, 29, 32 and 34 (supported in Applicant's Disclosure on pages 2-4 and 6-11). These limitations, in conjunction with other limitations in the independent claims, are not specifically disclosed or remotely suggested in the prior art of record.

Specifically, the prior art fails to explicitly teach identifying the multi-link service card as a destination for the data packets and performing sequencing of the data packets according to the multi-link protocol using the multi-link service card. A review of claims 1-43 and 53 in view of the Examiner's arguments above, indicates that these claims are therefore allowable over the prior art of record.

Art Unit: 2141

Any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

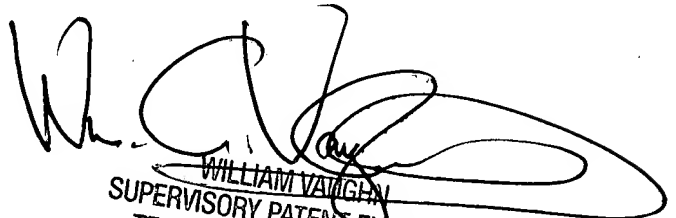
IV. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The Examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Art Unit 2141

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